

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARC VEASEY, *et al.*,

Plaintiffs,

v.

RICK PERRY, *et al.*,

Defendants.

Civil Action No. 2:13-cv-193 (NGR)
(Consolidated Action)

**UNOPPOSED MOTION OF PLAINTIFFS
AND PLAINTIFFS-INTERVENORS TO POSTPONE FILINGS OF MOTIONS FOR
ATTORNEYS' FEES, EXPENSES AND COSTS**

Plaintiffs and Plaintiffs-Intervenors¹ (hereafter "Plaintiffs") respectfully move this Court to postpone the filing and briefing of any motions for attorneys' fees, expenses and costs. As explained below, Defendants do not oppose this motion. As grounds for this motion, Plaintiffs would show that:

1. On October 9, 2014, this Court entered its Opinion declaring that SB 14 was unconstitutional and violative of federal law. D.E. 628. An Order and Final Judgment granting permanent and final injunctive relief was entered on October 11, 2014, barring enforcement of SB 14's identification provisions. D.E. 633.
2. On October 11, 2014, the Defendants filed a Notice of Appeal of this Court's Final Judgment to the United States Court of Appeals for the Fifth Circuit. D.E. 634.
3. The local rules of this Court state that motions seeking an award of attorneys' fees and costs should be filed within 14 days of the judgment. *See* LR 54.2. *See also* Fed. R. Civ. Pro. Rule 54(d)2(B).

¹ All Plaintiffs and Plaintiffs-Intervenors in these consolidated cases, except for the United States of America, join in this unopposed motion.

4. Plaintiffs believe that it is appropriate for this Court to hold in abeyance “the fee and costs issues” pending the outcome of the Defendants’ appeal. Accordingly, the Plaintiffs file this motion seeking entry of the attached Order, which would hold in abeyance the filing of any motions for attorneys’ fees, expenses and costs pending the disposition of Defendants’ pending appeal.
5. Pursuant to LR7.2, the parties have conferred in good faith regarding this motion. Counsel for Defendants, Mr. Adam Aston, has advised Plaintiffs’ counsel (Mr. Hebert) that Defendants do not oppose this motion.
6. The attached proposed Order would require the parties, within fourteen (14) days of the disposition of the Defendants’ pending appeal: to meet and confer and submit to this Court any agreement for an award of attorneys’ fees, expenses, and costs; or if no agreement is reached, to submit a schedule for filing any motions (and responses) for attorneys’ fees, expenses and costs.

WHEREFORE, the Plaintiffs respectfully pray that this Court grant this motion holding in abeyance the filing of any motions for an award of attorneys’ fees, expenses and costs, and enter the attached Order with respect to such motions.

Date: 10/20/2014

Respectfully submitted,

/s/ Chad W. Dunn

CHAD W. DUNN
KEMBEL SCOTT BRAZIL
Brazil & Dunn
4201 Cypress Creek pkwy
Ste 530
Houston, TX 77068
281-580-6310
chad@brazilanddunn.com

J. GERALD HEBERT
JOSHUA J. BONE
Campaign Legal Center
215 E St. NE
Washington, DC 20002
202-736-2200
esimson@campaignlegalcenter.org

NEIL G. BARON
Law Offices of Neil G. Baron
914 FM 517 Rd W
Suite 242
Dickinson, TX 77539
281-534-2748
neil@ngbaronlaw.com

ARMAND DERFNER
Derfner, Altman, & Wilborn
P.O. Box 600
Charleston, SC 29402
843-723-9804
aderfner@dawlegal.com

LUIS ROBERTO VERA, JR.
Law Office of Luis Roberto Vera Jr.
111 Soledad
Ste 1325
San Antonio, TX 78205
210-225-2060
irvlaw@sbcglobal.net

Counsel for Veasey Plaintiffs

/s/ Marinda Van Dalen

MARINDA VAN DALEN
PRICILLA NORIEGA
ROBERT W. DOGGETT
KATHRYN NEWELL
Texas Rio Grande Legal Aid, Inc.
531 E St Francis
Brownsville, TX 78520
956-982-5543
mvandalen@trla.org

JOSE GARZA
Law Office of Jose Garza
7414 Robin Rest Drive
San Antonio, Texas 98209
210-392-2856
garzapalm@aol.com

Counsel for Ortiz Plaintiffs

/s/ Rolando L. Rios

ROLANDO L. RIOS
Law Offices of Rolando L. Rios
115 E. Travis
Ste 1645
San Antonio, TX 78205
210-222-2102
rrios@rolandorioslaw.com

*Counsel for Texas Association of Hispanic
County Judges and County Commissioners
Plaintiff-Intervenors*

/s/ Ezra D. Rosenberg

EZRA D. ROSENBERG
MICHELLE H. YEARY
STEVEN B. WEISBURD
AMY L. RUDD
LINDSEY COHAN
DECHERT LLP
902 Carnegie Center, Suite 500
Princeton, New Jersey 08540-6531
609-955-3222
Ezra.rosenberg@dechert.com

WENDY WEISER
MYRNA PEREZ
VISHAL AGRAHARKAR
JENNIFER CLARK
The Brennan Center for Justice at NYU Law
School
161 Avenue of the Americas, Floor 12
New York, New York 10013-1205
649-292-8310
Wendy.weiser@nyu.edu

ROBERT A. KENGLE
MARK A. POSNER
ERANDI ZAMORA
Lawyers' Committee for Civil Rights
1401 New York Avenue, N.W., Suite 400
Washington, D.C. 20005
202-662-8345
mposner@lawyerscommittee.org

DANIEL GAVIN COVICH
Covich Law Firm LLC
Frost Bank Plaza
802 N Carancahua, Ste 2100
Corpus Christi, TX 78401
361-884-5400
Daniel@covichlawfirm.com

GARY BLEDSOE
Potter Bledsoe, L.L.P.
316 W. 12th Street, Suite 307
Austin, Texas 78701
garybledsoe@sbcglobal.net

ROBERT NOTZON
The Law Office of Robert Notzon
1502 West Avenue
Austin, Texas 78701
Robert@notzonlaw.com

KIM KEENAN
MARSHALL TAYLOR
VICTOR GOODE
NAACP
4805 Mt. Hope Drive
Baltimore, Maryland 21215
kkeenan@naacpnet.org

*Counsel for Plaintiffs Texas State
Conference of NAACP Branches, Mexican
American Legislative Caucus of the Texas
House of Representatives*

/s/ Christina Swarns

CHRISTINA SWARNS

RYAN P. HAYGOOD

NATASHA M. KORGAONKAR

LEAH C. ADEN

DEUEL ROSS

NAACP Legal Defense and Educational
Fund, Inc.

40 Rector Street, 5th Floor

New York, New York 10006

212-965-2200

rhaygood@naacpldf.org

DANIELLE CONLEY

JONATHAN PAIKIN

KELLY P. DUNBAR

SONYA L. LEBSACK

LYNN EISENBURG

RICHARD F. SHORDT

TANIA C. FARANSSO

WilmerHale LLP

1875 Pennsylvania Avenue, N.W.

Washington, DC 20006

202-663-6006

danielle.conley@wilmerhale.com

*Counsel for Texas League of Young Voters
Plaintiff-Intervenors*

CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2014, I served a true and correct copy of the foregoing via the Court's ECF system on the following counsel of record:

John B. Scott
John Reed Clay, Jr.
Gregory David Whitley
Jonathan F. Mitchell
Sean Flammer
Stephen Ronald Keister
Arthur D'Andrea
Jennifer Marie Roscetti
Lindsey Elizabeth Wolf
Office of the Texas Attorney General
john.scott@texasattorneygeneral.gov
reed.clay@texasattorneygeneral.gov
david.whitley@texasattorneygeneral.gov
jonathan.mitchell@texasattorneygeneral.gov
sean.flammer@texasattorneygeneral.gov
ronny.keister@texasattorneygeneral.gov
arthur.dandrea@texasattorneygeneral.gov
jennifer.roschetti@texasattorneygeneral.gov
lindsey.wolf@texasattorneygeneral.gov

Ben Addison Donnell
Donnell Abernethy & Kieschnick
bdonnell@dakpc.com

Counsel for Defendants

/s/ Chad W. Dunn
Brazil & Dunn
4201 Cypress Creek pkwy
Ste 530
Houston, TX 77068
281-580-6310
chad@brazilanddunn.com